



NSW RURAL FIRE SERVICE

BYRON SHIRE COUNCIL
DOC NO:
REC'D: 21 AUG 2018
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ASSIGNEE: P. VanTersel



The General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Your Ref: 26.2017.5.1
Our Ref: R18/585
DA18030612087 AB

ATTENTION: Rob van Lersel

13 August 2018

Dear Mr van Lersel

**Agency Comment:- Byron Local Environment Plan 2014 Amended Planning Proposal;
part Lot 4729 DP1228104, lot 1 DP1001454, Lots 3&7 DP827049 Byron Bay Town Centre**

I refer to your letter dated 5 March 2018 seeking advice for the above Planning Instrument in accordance with the 'Environmental Planning and Assessment Act 1979'.

The NSW Rural Fire Service (NSW RFS) understands the planning proposal will amend Byron LEP 2014 in the following manner:

- *Amend Schedule 1 Additional Permitted Uses and Map to permit the following additional uses (only with development consent):*
 - *temporary activities and events, that have minimal environmental and/or amenity impacts;*
 - *portable or demountable single-storey structures to house those activities; and*
 - *markets.*
- *Amend Schedule 2 Exempt Development to permit the following activities as exempt development:*
 - *nominated one-off events and ceremonies where they are carried out on public land including one-off community event or commercial event, such as the laneway activation.*
- *Amend Clause 2.8 Temporary use of land*
 - *increase the allowable days, from 14 within a 12 month period, to 52 within a 12 month period.*

Postal address

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The NSW RFS notes that part of the subject land is mapped bush fire prone by Byron Shire Council. Council intends to permit temporary events or activities within the area mapped bush fire prone. Such events, that are exempt development, may require a S68 Local Approval.

The NSW RFS has no objection to the planning proposal and provides the following comment:

- I. Council should either
 - a. Proposed exempt development activities on mapped bush fire prone land shall include a bush fire hazard risk assessment within the S68 Local Approval process under the Local Government Act 1993; or
 - b. Council should exclude that land mapped bush fire prone land from its Byron town centre 'additional permitted uses' map'.

For any queries regarding this correspondence please contact Alan Bawden on 1300 NSW RFS.

Yours Sincerely



Ivan Perkins

Acting Manager – Planning and Environment Services North

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.